

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.  
SECURITIES LITIGATION

Case No. 4:19-cv-00957

Judge George C. Hanks, Jr.

**APPENDIX TO DEFENDANTS' REPLY IN SUPPORT OF MOTION  
TO EXCLUDE CERTAIN OPINIONS OF CLASS PLAINTIFFS' EXPERT  
TAYLOR KIRKLAND UNDER RULE 702**

In accordance with Court Procedure 7(B)(3), Moving Defendants submit this Appendix in support of their Reply in Support of Motion to Exclude Certain Opinions of Class Plaintiffs' Expert Taylor Kirkland Under Rule 702, which is filed concurrently herewith. Moving Defendants rely on the following evidence to support their motion:

<b>Ex. No.</b>	<b>Description</b>
4	Excerpts of the Deposition Transcript of Taylor J. Kirkland taken on November 15, 2023

Dated: February 2, 2024

Respectfully submitted,

By J. Christian Word

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*Co-Counsel for Defendants Harlan H. Chappelle and Michael E. Ellis*

**CERTIFICATE OF SERVICE**

I certify that on February 2, 2024 a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

*/s/ J. Christian Word*

\_\_\_\_\_  
J. Christian Word

# **EXHIBIT 4**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In Re: :  
: Civil Action No.  
ALTA MESA RESOURCES, INC., :  
SECURITIES LITIGATION : 4:19-CV-00957  
:  
:

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VIDEO-RECORDED ORAL DEPOSITION OF

Expert Witness

TAYLOR J. KIRKLAND

November 15, 2023

9:14 a.m.

4550 Travis Street  
Dallas, Texas 75205

Stenographically Reported by:  
MAYLEEN AHMED, RMR, CRR, CRC, TX-CSR #9428  
Job No.: 6306381

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2</p> <p>3</p> <p>4 VIDEO-RECORDED ORAL DEPOSITION OF</p> <p>5 TAYLOR J. KIRKLAND, an expert witness herein, and</p> <p>6 duly sworn, was taken at the offices of Kirkland &amp;</p> <p>7 Ellis LLP, 4550 Travis Street, Dallas, Texas 75205</p> <p>8 in the above-styled and numbered cause on</p> <p>9 November 15, 2023 from 9:14 a.m. to 6:47 p.m.,</p> <p>10 before Mayleen Ahmed, Certified Shorthand Reporter</p> <p>11 in and for the State of Texas, reported by machine</p> <p>12 shorthand, pursuant to the Federal Rules of Civil</p> <p>13 Procedure.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 Attorneys for Defendants Alta Mesa Resources,</p> <p>4 Riverstone Holdings LLC, and Proxy Defendants:</p> <p>5 LATHAM &amp; WATKINS LLP</p> <p>6 555 Eleventh Street, N.W. - Suite 1000</p> <p>7 Washington, D.C. 20004</p> <p>8 202.637.2200</p> <p>9 BY: MATTHEW J. PETERS, ESQ.</p> <p>10 matthew.peters@lw.com</p> <p>11</p> <p>12</p> <p>13 Attorneys for Defendants Alta Mesa Resources, Inc.,</p> <p>14 Riverstone Holdings LLC, Jeffrey Teper,</p> <p>15 Thomas Walker, and Diana Walters:</p> <p>16 LATHAM &amp; WATKINS LLP</p> <p>17 330 North Wabash Avenue - Suite 2800</p> <p>18 Chicago, Illinois 60611</p> <p>19 312.876.7700</p> <p>20 BY: DANIEL JOSEPH ROBINSON, ESQ.</p> <p>21 daniel.robinson@lw.com</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 Attorneys for Lead Plaintiffs:</p> <p>4 ENTWISTLE &amp; CAPPUCCI LLP</p> <p>5 299 Park Avenue - 20th floor</p> <p>6 New York, New York 10171</p> <p>7 212.894.7200</p> <p>8 BY: ANDREW M. SHER, ESQ.</p> <p>9 asher@entwistle-law.com</p> <p>10 BRENDAN J. BRODEUR, ESQ. [Via Zoom]</p> <p>11 bbrodeur@entwistle-law.com</p> <p>12 JOHN WEINBERGER, ESQ. [Via Zoom]</p> <p>13 jweinberger@entwistle-law.com</p> <p>14</p> <p>15</p> <p>16 ENTWISTLE &amp; CAPPUCCI LLP</p> <p>17 500 West 2nd Street - Suite 1900-16</p> <p>18 Austin, Texas 78701</p> <p>19 512.710.5960</p> <p>20 BY: ANDREW J. ENTWISTLE, ESQ. [Via Zoom]</p> <p>21 aentwistle@entwistle-law.com</p> <p>22 CALLIE CRISPIN, ESQ. [Via Zoom]</p> <p>23 ccrispin@entwistle-law.com</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 Attorneys for Defendants Hal Chapelle and</p> <p>4 Michael Ellis:</p> <p>5 WINSTON &amp; STRAWN LLP</p> <p>6 800 Capitol Street - Suite 2400</p> <p>7 Houston, Texas 77002-2925</p> <p>8 713.651.2600</p> <p>9 BY: WALTER M. BERGER, ESQ. [Via Zoom]</p> <p>10 cberger@winston.com</p> <p>11 MICHELLE TORO, ESQ. [Via Zoom]</p> <p>12 mtoro@winston.com</p> <p>13</p> <p>14</p> <p>15 Attorneys for Defendant ARM Energy Holdings LLC:</p> <p>16 EVERSLED SUTHERLAND (US) LLP</p> <p>17 12255 El Camino real</p> <p>18 San Diego, California 92130</p> <p>19 858.252.4900</p> <p>20 BY: TANVI SHAH, ESQ. [Via Zoom]</p> <p>21 tanvishah@eversheds-sutherland.com</p> <p>22 DANE N. SOWERS, ESQ. [Via Zoom]</p> <p>23 dane.sowers@eversheds-sutherland.com</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 A P P E A R A N C E S (Cont'd)</p> <p>2</p> <p>3 Attorneys for Defendant Bayou City Energy:</p> <p>4 KIRKLAND &amp; ELLIS LLP</p> <p>5 609 Main Street - Suite 4700</p> <p>6 Houston, Texas 77002</p> <p>7 713.836.3600</p> <p>8 BY: DIANE CLOUGH BENTON, ESQ. [Via Zoom]</p> <p>9 diana.benton@kirkland.com</p> <p>10 BELLE HARRIS, ESQ. [Via Zoom]</p> <p>11 belle.harris@kirkland.com</p> <p>12</p> <p>13</p> <p>14 Attorneys for Defendants HPS Investment Partners</p> <p>15 and Dom Dimitrievich:</p> <p>16 QUINN EMANUEL URQUHART &amp; SULLIVAN LLP</p> <p>17 300 West 6th Street - Suite 2010</p> <p>18 Austin, Texas 78701</p> <p>19 737.667.6100</p> <p>20 BY: EMILY COUTURE, ESQ. [Via Zoom]</p> <p>21 emilyc couture@quinnemanuel.com</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1 I N D E X</p> <p>2 PAGE</p> <p>3 APPEARANCES ..... 3</p> <p>4 CHANGES AND SIGNATURE ..... 298</p> <p>5 REPORTER'S CERTIFICATION ..... 299</p> <p>6</p> <p>7 WITNESS: TAYLOR J. KIRKLAND</p> <p>8 EXAMINATION PAGE</p> <p>9 BY MR. PETERS ..... 13</p> <p>10 BY MR. SHER ..... 281</p> <p>11 BY MR. PETERS ..... 291</p> <p>12</p> <p>13 MOTIONS TO STRIKE: None</p> <p>14 INSTRUCTIONS NOT TO ANSWER: None</p> <p>15 DOCUMENT/INFORMATION REQUESTS: None</p> <p>16</p> <p>17 ----- EXHIBITS -----</p> <p>18 DEF-EXHIBIT DESCRIPTION PAGE</p> <p>19 Exhibit 103 Taylor Kirkland Summary of 32</p> <p>20 Time through 8/31/23</p> <p>21 (KIRKLAND_AMR-00001905)</p> <p>22</p> <p>23 Exhibit 104 Taylor Kirkland Summary of 37</p> <p>24 Time through 10/19/23</p> <p>25 (KIRKLAND_AMR-00001960)</p>
<p style="text-align: right;">Page 7</p> <p>1 A P P E A R A N C E S (Cont'd)</p> <p>2</p> <p>3 ALSO PRESENT REMOTELY VIA ZOOM:</p> <p>4</p> <p>5 NEAVE CASEY, Paralegal, Entwistle &amp; Cappucci</p> <p>6 MARIANA ROJAS, Paralegal, Entwistle &amp; Cappucci</p> <p>7 FASIKA DELESSA, Paralegal, Latham &amp; Watkins</p> <p>8 MIRANDA GLOVER, Videographer, Veritext</p> <p>9 JESSICA REID, Concierge, Veritext</p> <p>10</p> <p>11 ---o0o---</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 9</p> <p>1 ----- EXHIBITS (Cont'd) -----</p> <p>2 DEF-EXHIBIT DESCRIPTION PAGE</p> <p>3 Exhibit 105 "Investing in Oil &amp; Gas 56</p> <p>4 Wells," 11/1/2023 podcast</p> <p>5 transcript</p> <p>6</p> <p>7 Exhibit 106 8/31/23 Expert Report of 75</p> <p>8 Taylor Kirkland</p> <p>9</p> <p>10 Exhibit 107 6/26/17 email chain to/from 153</p> <p>11 Turner, Hackett, Chappelle</p> <p>12 re: Daughter wells</p> <p>13 (RIVERSTONE_SDTX00223625-3629)</p> <p>14 CONFIDENTIAL</p> <p>15</p> <p>16 Exhibit 108 March 2018 Reserves 188</p> <p>17 "Discussion and Contrast of</p> <p>18 Production Data and Public</p> <p>19 Sales Data</p> <p>20 "(PLAINTIFFS_AMR_00000993-</p> <p>21 1005)</p> <p>22</p> <p>23 Exhibit 109 AMR November 2017 Investor 223</p> <p>24 Update</p> <p>25 (AMR_SDTX00032810)</p>

3 (Pages 6 - 9)



<p style="text-align: right;">Page 230</p> <p>1 all those are included.</p> <p>2 Q. There's -- the two that you said are</p> <p>3 missing are Ash 4B and 5B?</p> <p>4 A. Correct. It's -- the chart says eight</p> <p>5 infill wells, but eight infill wells are not shown</p> <p>6 on the chart.</p> <p>7 Q. And you -- do you recall doing any work</p> <p>8 to understand why those two wells were not included</p> <p>9 in this chart that's shown in Figure 54 of your</p> <p>10 report?</p> <p>11 A. I -- I imagine because they were poor --</p> <p>12 poor producers.</p> <p>13 Q. And why do you imagine that would be the</p> <p>14 reason why they were not included in this chart?</p> <p>15 A. It would portray a different outcome as</p> <p>16 to what was intended to bolster their development</p> <p>17 process.</p> <p>18 Q. How would the inclusion of those two</p> <p>19 wells portray a different outcome? And -- sorry.</p> <p>20 Go ahead.</p> <p>21 MR. SHER: Objection.</p> <p>22 A. It would bring the average well -- the</p> <p>23 result of the average well down significantly.</p> <p>24 Although, there's not an average shown on this</p> <p>25 chart, but it would show additional data points that</p>	<p style="text-align: right;">Page 232</p> <p>1 the fracs were; if -- you know, if they were</p> <p>2 categorizing wells as "parent" or "child"; where the</p> <p>3 wells were located; what their EURs were at a</p> <p>4 certain point in time. That type of information.</p> <p>5 Q. Outside of this litigation, have you</p> <p>6 used ARIES' database to evaluate well performance?</p> <p>7 A. Yes.</p> <p>8 Q. And have you used -- outside of this</p> <p>9 litigation, have you used ARIES' database to assess</p> <p>10 when a well achieved first oil?</p> <p>11 A. I wouldn't have used ARIES for that, I</p> <p>12 don't believe.</p> <p>13 Q. What would you have used?</p> <p>14 A. I would have just looked at the</p> <p>15 production and see if there was, you know,</p> <p>16 consistent measurable oil for, you know, a few days.</p> <p>17 Q. Do you know whether you could have --</p> <p>18 whether ARIES can be used to -- to look up</p> <p>19 information about the date of first oil of a well?</p> <p>20 A. That would have been something, I</p> <p>21 imagine, was probably hard coded by -- by an</p> <p>22 engineer into the -- into the case, the well case in</p> <p>23 ARIES.</p> <p>24 MR. PETERS: Okay. I'd like to</p> <p>25 introduce the next exhibits, please. So there</p>
<p style="text-align: right;">Page 231</p> <p>1 are well below the type curve.</p> <p>2 Q. And so is it your opinion that these --</p> <p>3 those two wells were not included because including</p> <p>4 them would portray an outcome that would not, to use</p> <p>5 your word, bolster their development process?</p> <p>6 MR. SHER: Objection.</p> <p>7 A. I can't speculate what their reasoning.</p> <p>8 I can only make a guess.</p> <p>9 MR. PETERS: We can -- I'd like to</p> <p>10 introduce the next exhibits.</p> <p>11 BY MR. PETERS:</p> <p>12 Q. Before we do that, Mr. Kirkland, sorry</p> <p>13 for the false start there.</p> <p>14 Are you familiar with what ARIES is?</p> <p>15 A. Yes.</p> <p>16 Q. Did you review ARIES data in connection</p> <p>17 with preparing your report?</p> <p>18 A. I reviewed some ARIES property tables,</p> <p>19 yes.</p> <p>20 Q. Did you rely on ARIES data from --</p> <p>21 produced in this litigation to assess well</p> <p>22 performance of AMH wells?</p> <p>23 A. I don't believe so. I really looked at</p> <p>24 it. There were certain things that had -- was more</p> <p>25 tables that described wells, saying which generation</p>	<p style="text-align: right;">Page 233</p> <p>1 will be two exhibits: 110 and 111.</p> <p>2 (Exhibit 110 marked for identification.)</p> <p>3 MR. PETERS: And here is 111.</p> <p>4 (Exhibit 111 marked for identification.)</p> <p>5 MR. PETERS: Sorry. Can we go off the</p> <p>6 record for a second, please?</p> <p>7 THE VIDEOGRAPHER: We're off the record</p> <p>8 at 3:56.</p> <p>9 (Recess taken.)</p> <p>10 (Exhibit 111 withdrawn)</p> <p>11 THE VIDEOGRAPHER: We're back on the</p> <p>12 record at 3:59.</p> <p>13 MR. PETERS: Welcome back. Sorry for</p> <p>14 the slight interruption. We withdrew</p> <p>15 Exhibit 111 because it was identical to 110.</p> <p>16 BY MR. PETERS:</p> <p>17 Q. So during the slight interruption,</p> <p>18 Mr. Kirkland, were you able to review the</p> <p>19 Exhibit 110?</p> <p>20 A. I -- yes. It looks to be daily</p> <p>21 production data output from ARIES.</p> <p>22 Q. Correct. And do you see -- so it's for</p> <p>23 two wells. It's -- I'll focus you on, there's two</p> <p>24 sheets for two different wells. Do you see one that</p> <p>25 has a Prop Num OB8G064AVA?</p>

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1 UNITED STATES DISTRICT COURT  
 2 SOUTHERN DISTRICT OF TEXAS  
 3 HOUSTON DIVISION  
 4 :  
 In Re: :  
 5 : Civil Action No.  
 ALTA MESA RESOURCES, INC., :  
 6 SECURITIES LITIGATION : 4:19-CV-00957  
 :  
 7 :  
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8  
 9 REPORTER'S CERTIFICATION  
 10 VIDEO-RECORDED ORAL DEPOSITION OF  
 11 TAYLOR J. KIRKLAND  
 12 NOVEMBER 15, 2023  
 13

14 I, MAYLEEN AHMED, a Registered Merit  
 15 Reporter, Certified Realtime Reporter, and a Texas  
 16 Certified Shorthand Reporter, CSR #9428, hereby  
 17 certify to the following:

18 That the witness, TAYLOR J. KIRKLAND,  
 19 appeared before me and was duly sworn by me, and  
 20 that the transcript of the oral deposition is a true  
 21 record of the testimony given by the witness;


22 That said proceedings were taken before me  
 23 on November 15, 2023, taken down stenographically at  
 24 the time therein set forth, and thereafter  
 25 transcribed by me;

Page 299

1 That in accordance with FRCP 30(e), before  
 2 completion of the proceedings, review of the  
 3 transcript was not requested and signature was  
 4 reserved by the witness.

5 I further certify that I am neither counsel  
 6 for, related to, nor employed by any of the parties  
 7 in the action in which this proceeding was taken,  
 8 and further that I am not financially or otherwise  
 9 interested in the outcome of this action.

10 Certified to by me on this 18th day of  
 11 November, 2023.

12  
 13   
 14  
 15 /s/ MAYLEEN AHMED, RMR, CRR, CRC  
 16 Texas CSR No. 9428 - Exp 7/31/25  
 Washington CCR No. 3402 - Exp 12/29/23  
 17 Oregon CSR No. 17-0447 Exp 12/31/23  
 California CSR No. 14830 Exp 12/31/23  
 18 New York Realtime Certified Reporter  
 New York Notary Public

19  
 20 Veritext Legal Solutions  
 Registered Firm: 571  
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 22  
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 24  
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76 (Pages 298 - 299)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.  
SECURITIES LITIGATION

Case No. 4:19-cv-00957

Judge George C. Hanks, Jr.


**Errata To November 15, 2023 Deposition of Taylor Kirkland**

<b>Page / Line</b>	<b>Transcript Reads</b>	<b>Transcript Should Read</b>	<b>Reason For Change</b>
4714	A line	align	mistranscribed
49/17	Sleek	Slick	mistranscribed
52/18	Corer	Core	mistranscribed
68/21	Invaris	Enverus	misspelled
128/5	Proved and	Proven	mistranscribed
212/17	1630	630	mistranscribed
214/24	Bollis	Bullis	misspelled
256/14	Weld-in sleeves	Well densities	mistranscribed
259/15	Dogmas	documents and	mistranscribed

Page / Line	Transcript Reads	Transcript Should Read	Reason For Change
263/2	Corridor	Core	mistranscribed
276/14	Hydrating	High grading	mistranscribed

12/29/23

(Date Signed)



Taylor Kirkland (Signature)